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6	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON		
7	AT SEATTLE		
8	JOSEPH ANTHONY QUINTANA,		
9	Petitioner,	Case No. C17-0915-TSZ	
10	v.	ORDER TRANSFERRING CASE TO	
11	STATE OF WASHINGTON,	NINTH CIRCUIT	
12	Respondent.		
13			
14	The Court, having reviewed the Report and Recommendation, docket no. 7, of the		
15	Honorable Mary Alice Theiler, United States Magistrate Judge, and petitioner's objections		
16	thereto, docket no. 8, hereby ORDERS:		
17	(1) The Report and Recommendation is APPROVED and ADOPTED;		
18	(2) Petitioner's federal habeas petition is TRANSFERRED to the United States Court		
19	of Appeals for the Ninth Circuit as a second or successive petition. Petitioner is advised that this		
20	transfer does not of itself constitute compliance with 28 U.S.C. § 2244(b)(3) and Ninth Circuit		
21	Rule 22-3. Petitioner must still file a motion for leave to proceed in the Court of Appeals and		
22	make the showing required by § 2244(b)(2);		
23	///		
	ORDER TRANSFERRING CASE TO NINTH CIRCUIT - 1		

	1	(3) Petitioner's application to pro	oceed with this action <i>in forma pauperis</i> , docket no. 5
ļ	2 All p	is STRICKEN as moot; participants (applicant, applicant's representative	e, PTO personnel):
	(1) <u>J</u>	loseph E. Avellino.	(3)
	(2) <u>C</u>	Dan Glueck (Applicant's Representative) .	(4)
	Da	ate of Interview: 20 April 2007.	
		ype: a)⊠ Telephonic b)⊡ Video Conferenc c)⊡ Personal [copy given to: 1)⊡ applica	
		nibit shown or demonstration conducted: d) \(\bigcirc\) \	Yes e) No.
		im(s) discussed: <u>20</u> .	
N.	lder	ntification of prior art discussed: N	
	Agre	eement with respect to the claims f) was reach	hed. g) was not reached. h) N/A.
	read state	ched, or any other comments: <u>Applicant's Repres</u>	general nature of what was agreed to if an agreement was sentatve and Examiner discussed amendments to overcome the Representative would submit amendments and a Terminal the Non-Final rejection.
	allov	uller description, if necessary, and a copy of the wable, if available, must be attached. Also, where wable is available, a summary thereof must be a	amendments which the examiner agreed would render the claims are no copy of the amendments that would render the claims attached.)
	INTE GIVE INTE FILE	ERVIEW. (See MPEP Section 713.04). If a reply EN A NON-EXTENDABLE PERIOD OF THE LOI ERVIEW DATE, OR THE MAILING DATE OF TH	FICE ACTION MUST INCLUDE THE SUBSTANCE OF THE y to the last Office action has already been filed, APPLICANT IS NGER OF ONE MONTH OR THIRTY DAYS FROM THIS HIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO E INTERVIEW. See Summary of Record of Interview

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required